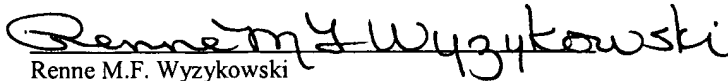


PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

*I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on February 18, 2005.*

  
Renne M.F. Wyzykowski

Applicant : Yiwei Thomas Hou, et al. Confirmation No. 2594  
Application No. : 09/440,148  
Filed : November 15, 1999  
Title : SERVER-BASED NETWORK PERFORMANCE METRICS  
GENERATION SYSTEM AND METHOD  
Date of Notice  
of Allowance : January 7, 2005  
Grp./Div. : 2667  
Examiner : Thai D. Hoang  
Docket No. : 35400/DMC/F179

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Mail Stop ISSUE FEE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Post Office Box 7068  
Pasadena, CA 91109-7068  
February 18, 2005

Commissioner:

Applicants believe that the Examiner's Statement of Reasons for Allowance, in view of the record of prosecution as a whole, does not fully describe various reasons for allowance of the claims. Moreover, Applicants believe that the record of the prosecution as a whole provides sufficient clarity, explicitly and implicitly, as to reason for allowance of claims, and does so in a more contextual and thorough fashion than the Statement of Reasons for Allowance. While applicant agrees that the claims are allowable, applicant does not necessarily acquiesce with each statement in the reasons for allowance, that patentability requires each stated feature exactly as expressed by the Examiner, nor that each stated feature is required for patentability.

Respectfully submitted,

CHRISTIE, PARKER & HALE, LLP

By 

Daniel M. Cavanagh, Reg. No. 41,661  
Telephone: 626/795-9900

DMC/rmw  
RMW IRV1083715.1-\*02/18/05 2:36 PM